

Applic. No. 09/814,488

Amdt. dated December 30, 2004

Reply to Office action of September 30, 2004

Remarks/Arguments:

Reconsideration of the application is requested.

Claims 1-14 remain in the application.

In the second paragraph on page 2 of the above-identified Office action, claims 1-12 have been rejected as being fully anticipated by Emmerling et al. (U.S. Patent No. 6,119,448) (hereinafter "Emmerling") under 35 U.S.C. § 102.

It is noted that the Emmerling reference has an effective U.S. filing date of August 26, 1998. Enclosed herewith are pages 1 of 5, 2 of 5, and 5 of 5 and a Figure (pages 3 of 5 and 4 of 5 have not been submitted because they contain confidential company information that is not relevant to the present invention) of a German language Invention Disclosures and an English language translation thereof. A signed declaration under 37 CFR 1.131 indicating that the present invention was reduced to practice at least as early as August 25, 1998, is also enclosed herewith. Based on the above-noted information, the Emmerling reference is not available as Prior art. Therefore, the rejection over Emmerling is moot.

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In the fifth paragraph on page 3 of the Office action, claims 13 and 14 have been rejected as being obvious over Emmerling. (U.S. Patent No. 6,119,448) in view of Sawada (U.S. Patent No. 5,983,629) under 35 U.S.C. § 103. As indicated above, the Emmerling reference is not available. Since claim 6 is believed to be allowable, dependent claims 12 and 14 are believed to be allowable as well.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claims 1 or 6. Claims 1 and 6 are, therefore, believed to be patentable over the art and since all of the dependent claims are ultimately dependent on claims 1 or 6, they are believed to be patentable as well.

In view of the foregoing, reconsideration and allowance of claims 1-14 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel respectfully requests a telephone call so that, if possible, patentable language can be worked out.

If an extension of time for this paper is required, petition for extension is herewith made.

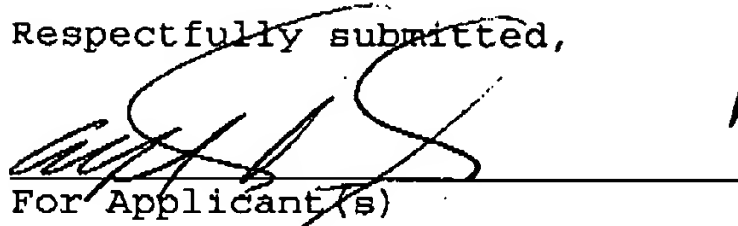
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Please charge any other fees which might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner & Greenberg P.A., No. 12-1099.

Respectfully submitted,



For Applicant(s)

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AKD:cgm

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